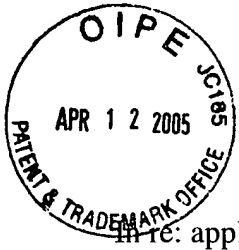




Dated: April 12, 2005

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PATENT  
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**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: application of:

Marcus Braun

Serial No.: 10/815,394

Filing Date: April 1, 2004

For: SURGICAL INSTRUMENT

Commissioner For Patents  
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P.O. Box 1450  
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Group Art Unit: 3731

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**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)**

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the references listed on the attached Form PTO 1449. This Information Disclosure Statement is being filed prior to the mailing of a first Office Action on the merits, and therefore it is believed that no fee is due with this submission.

Copies of the listed documents are attached along with an English language abstract for the non-English document is enclosed. Also enclosed is a copy of a foreign search report.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration of relevant portions thereof by making appropriate notations on the attached form.

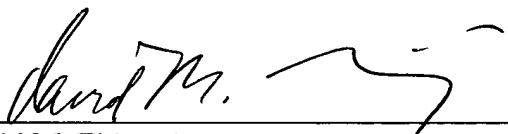
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed references are material or constitute "prior

art.” If it should be determined that the listed references do not constitute “prior art” under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such references.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this statement, please charge the fee to our Deposit Account No. 13-0019.

Respectfully submitted,

By   
David M. Thimmig  
Attorney Reg. No. 36,034

Dated: April 12, 2005

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